



0074657

Department of Energy
Richland Operations Office
P.O. Box 550
Richland, Washington 99352

08-AMRC-0051

NOV 30 2007

Mr. Nicholas Ceto, Program Manager
Office of Environmental Cleanup
Hanford Project Office
U.S. Environmental Protection Agency
309 Bradley Blvd, Suite 115
Richland, Washington 99352

RECEIVED
DEC 05 2007
EDMC

Dear Mr. Ceto:

NO EFFECT DETERMINATION FOR SHORELINE SAMPLING AT 128-F-2

The 128-F-2 site, located in the 100F Area, was remediated and backfilled in March 2007 as a CERCLA cleanup action. The 128-F-2 remediation activities partially occurred below the Ordinary High Water Mark (OHWM). Because results from verification sampling showed concentrations of metals such as chromium and lead above cleanup levels, the River Corridor Contractor is planning to conduct further sampling at the shoreline below the OHWM during the low flow period of Fall and Winter of 2007.

In accordance with the *Endangered Species Act of 1973* and the *National Environmental Policy Act of 1969*, as amended, activities occurring below the Ordinary High Water Mark of the Columbia River Hanford Reach require an evaluation of the impact to the Upper Columbia River (UCR) steelhead (*Oncorhynchus mykiss*), designated as a federally threatened species, and the UCR Spring-run Chinook salmon (*O. tshawytscha*), an endangered species.

The evaluation of the planned sampling resulted in a determination of "no effect" to UCR steelhead and the UCR Spring-run Chinook salmon. This evaluation was concurred with by National Marine Fisheries Service via an electronic mail (email). The memo documenting the determination and the email correspondence are attached for your use as the action agency to document in the Administrative Record, as deemed appropriate. Mr. R. A. Lobos of your staff has reviewed the attached documents.

If you have any questions, you may call me or your staff may call Chris Smith, of my staff, on (509) 372-1544.

Sincerely,

Joe R. Franco, Assistant Manager
for the River Corridor

AMRC:DCS

Mr. Nicholas Ceto
08-AMRC-0051

-2-

Enclosures

cc w/encl:

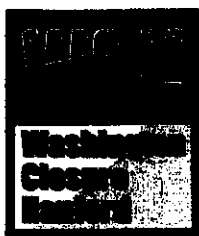
R. A. Lobos, EPA

Administrative Record, A3-01 *H-0-26*

cc w/o encl:

K. A. Gano, WCH

D. D. Teel, WCH



136810

NOV 20 2007

U.S. Department of Energy
Richland Operations Office
S. L. Sedgwick, Contracting Officer
Procurement Services Division
P.O. Box 550, MSIN A7-80
Richland, Washington 99352

Subject: Contract No. DE-AC06-RL14655
NO EFFECT DETERMINATION FOR SHORELINE SAMPLING AT 128-F-2

Dear Ms. Sedgwick:

In accordance with the *Endangered Species Act of 1973* and the *National Environmental Policy Act of 1969*, as amended, activities occurring below the Ordinary High Water Mark of the Columbia River Hanford Reach require an evaluation of the impact to the Upper Columbia River (UCR) steelhead (*Oncorhynchus mykiss*), designated as a federally threatened species, and the UCR Spring-run Chinook salmon (*O. tshawytscha*), an endangered species.

Washington Closure Hanford LLC (WCH) will conduct sampling at the shoreline below 128-F-2 waste site as a follow-up action to remediation of the site. The evaluation of the planned sampling activity resulted in a determination of "no effect" to UCR steelhead and UCR Spring-run Chinook salmon and was concurred with by National Marine Fisheries Service in an electronic mail (email). The memo documenting the determination (Attachment 1) and the email correspondence (Attachment 2) are attached for your convenience to transmit to the U. S. Environmental Protection Agency (EPA) for their documentation. WCH recommends that these attachments be added to the Administrative Record. Also attached for your use is a draft transmittal letter to EPA (Attachment 3).

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NOV 26 2007

DOE-RL/RLCC

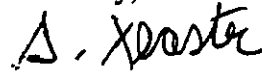
NOV 20 2007

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Ms. Sedgwick
Page 2

If you have questions regarding this sampling effort or the determination of no effect, please contact Lorna Dittmer at 372-9227 or Jon Fancher at 521-1700. For questions of a contractual nature, you may contact the undersigned at 372-9213.

Sincerely,



S. L. Feaster
Manager, Contracts

KAG:pjk

- Attachments: (1) Memo, D. D. Teel, WCH, to H. M. Sulloway, WCH, "Ecological and Cultural Resources Reviews for Shoreline Sampling Near 128-F-2 (07-ER-060)," CCN 136703, dated November 8, 2007
- (2) email, K. A. Gano, WCH, to E. Bartrand and M. Ritter, "FW: Sampling below the OHWM at the 128-F-2 Waste Site," CCN 136708, dated November 12, 2007
- (3) Draft Transmittal Letter


cc: S. L. Charboneau (RL) A3-04, w/a
J. R. Franco (RL) A3-04, w/o
D. C. Smith (RL) A3-04, w/a
S. R. Weil (RL) A5-16, w/a

Attachment 1

Interoffice Memorandum

TO: H. M. Sulloway, H4-23

DATE: November 8, 2007

COPIES: L. M. Dittmer, H4-23
K. A. Gano, H4-21
J. W. Golden, X4-08
T. E. Marceau, H4-21
J. J. Sharpe, H4-22
E. M. Weiss, H4-21
Records and Document Control H4-11FROM: D. D. Teel 
Environmental Science
H4-21/372-9029SUBJECT: **ECOLOGICAL AND CULTURAL RESOURCES REVIEWS FOR SHORELINE
SAMPLING NEAR 128-F-2 (07-ER-060)**

This memo is in response to your November 5, 2007, request for Ecological and Cultural Resources Reviews of your proposed project to sample the shoreline area adjacent to the 128-F-2 waste site in the 100-F Area. The waste site was remediated and backfilled in March 2007. Results from verification sampling showed concentrations of metals such as chromium and lead remained above the cleanup levels. Further sampling will be conducted at the shoreline below the Ordinary High Water Mark (OHWM) during the low flow period of fall and winter of 2007. Samples will be collected in the exposed shoreline area between the high and low water marks (see attached map). Approximately 40 samples will be hand excavated to approximately 15 cm (6 inches). Three of these sample sites will have additional samples collected up to 3 feet deep (also hand excavated). The work is anticipated to occur in November and December 2007.

Ecological Review

The location of the 128-F-2 waste site and shoreline was reviewed for ecological resources prior to remediating the waste site and the findings were documented in an Interoffice memo (CCN 120606). The findings noted that steelhead, a federal threatened species, and spring-run Chinook salmon, a federal endangered species are present in the Hanford Reach of the Columbia River. Because the remediation activities were planned to occur partially below the OHWM, Endangered Species Act, Section 7 informal consultation was initiated with the National Marine Fisheries Service (NMFS) (CCN 131076) and a Preconstruction Notification was sent to the Army Corp of Engineers in accordance with the Nationwide Permit No. 38, under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act (CCN 131118). The respective agencies concurred with the Biological Assessment and the proposed mitigation actions to conduct the activities during low flows to avoid impacts to the fish (see CCNs 131937 and 131222). No other plant or animal species of concern were identified at the waste site.

The sampling that will occur under the current project will take place along the shoreline and in the gravel bar that extends east of the shoreline in areas that are typically under water during the spring and summer months. The shoreline areas that were not disturbed as part of the remediation of the 128-

F-2 waste site are vegetated with reed canary grass (*Phalaris arundinacea*), willows (*Salix sp.*), and numerous common native and non-native forbs and sedges. The gravel bar below 113.5 meters (elevation) contains a small population of persistentsepal yellowcress (*Rorippa columbiae*), a federal species of concern and a Washington state endangered species. This population is near, but will not be impacted by the sampling (see attached map). To avoid accidental impacts, the sampling locations must be identified and inspected prior to sampling to ensure that these plants are not affected.

Because of the presence of federally threatened steelhead and endangered spring-run Chinook salmon in the Hanford Reach, an informal consultation with NMFS must be initiated. The mitigation for this sampling will be to conduct the work during the low flow period when the shoreline areas are dry and to backfill all sampling holes immediately after collecting the sample. These mitigation strategies will avoid impacts to the species listed above and no effects to Upper Columbia River (UCR) steelhead (*Oncorhynchus mykiss*), UCR Spring-run Chinook (*O. tshawytscha*), or the designated critical habitat of either species are anticipated.

When the sampling locations are identified, please contact Ken Gano at 372-9295 to inspect the sites to ensure no persistentsepal yellowcress plants are present. If there are any changes in the scope of activities that could result in disturbances outside of the description of this project, please contact Ken Gano to schedule a follow-up Ecological Resources Review.

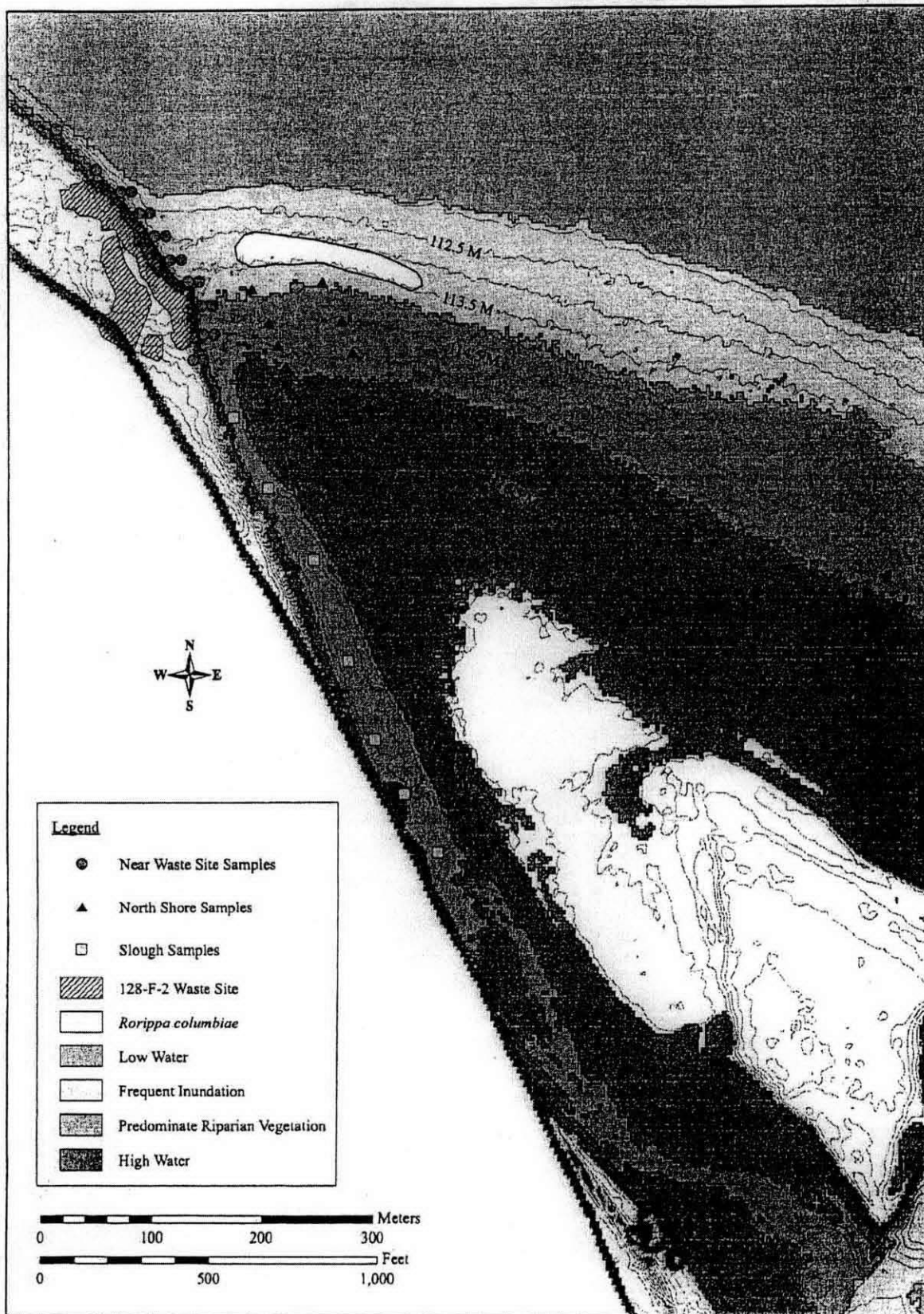
Cultural Review (NPE # 2008-100-002)

Numerous archaeological surface surveys, test excavations, data recovery projects, and monitorings have been conducted in the area within and around 128-F-2 since 1991. The shoreline areas that are the subject of this review have been inspected for cultural resources in connection with these activities. No cultural resources have been observed in these river sediments and none are expected to occur given the fact that these areas frequently are inundated. Given the location of the sampling activity, the shallow depths, and the amount of cultural resource work previously conducted in this area, we believe that this project is not the type with the potential to cause effects to historic properties.

Although no cultural resources are anticipated, all workers must be directed to watch for cultural materials (e.g., bones, stone tools, mussel shell) during all work activities. If any cultural materials are encountered, work in the vicinity of the discovery must stop until a Cultural Resources Specialist has been notified, the significance of the find assessed, appropriate Tribes notified, and if necessary, arrangements made for mitigation of the find. In the event of any discoveries, please contact Tom Marceau at 375-4663 or Jim Sharpe at 372-9111.

KAG:TEM:

Attachment(s): Map



Document/CCN Number: _____

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Attachment 2

^WCH Document Control

From: Gano, Kenneth A (Ken)
Sent: Monday, November 12, 2007 10:00 AM
To: Eric Bartrand; Mike Ritter
Cc: Dittmer, Lorna M; Teel, Darci D; Sulloway, Heather M; Fancher, Jonathan D (Jon); ^WCH Document Control
Subject: FW: Sampling below the OHWM at the 128-F-2 Waste Site

Eric/Mike,

WCH will be taking advantage of low water levels to conduct sampling along the shoreline at 100-F Area during November and possibly December. Sample holes will be shallow and will be immediately backfilled. See description of project and correspondence with Dale Bambrick (NMFS) below.

Please call me if you have any questions.

Ken Gano
 Natural Resource Specialist
 Washington Closure Hanford
 509-372-9295

-----Original Message-----

From: Dale Bambrick [mailto:Dale.Bambrick@noaa.gov]
Sent: Thursday, November 08, 2007 2:57 PM
To: Gano, Kenneth A (Ken)
Cc: Lobos, Rod; Smith, Chris; Fancher, Jonathan D (Jon); Dittmer, Lorna M; Teel, Darci D; Sulloway, Heather M; tim.r.erkel@usace.army.mil
Subject: Re: Sampling below the OHWM at the 128-F-2 Waste Site

Thanks Ken. As I believe you are aware, the National Marine Fisheries Service's Northwest Region Habitat Conservation Division as a matter of policy does not generate official letters of concurrence with action agency determinations of "no effect" to listed species. This is because of a combination of our high workload and deference to the fact that when action agencies may such determinations there is no duty to engage further consultation with us. That said, it does appear, based on the description you have provided and my assumption that the work would be done this winter before river flows will inundate the work area, that a "no effect" determination is appropriate in this instance. Let me know if you require further feedback on this matter.

Gano, Kenneth A (Ken) wrote:

>
 > Dale,
 >
 > Washington Closure Hanford is planning to conduct some follow-up
 > sampling at the 128-F-2 waste site at the 100-F Area. I have conducted
 > an ecological review of the site and the activity, and would
 > appreciate your concurrence with the mitigation strategy and
 > conclusion of no effect.
 >
 > The 128-F-2 waste site in the 100-F Area was remediated and backfilled
 > in March 2007 as a CERCLA cleanup action. Because the remediation
 > activities were partially below the Ordinary High Water Mark (OHWM),
 > and because of the presence of steelhead, a federal threatened
 > species, and spring-run Chinook salmon, a federal endangered species
 > are present in the Hanford Reach of the Columbia River, Endangered
 > Species Act, Section 7 informal consultation was initiated with the
 > National Marine Fisheries Service (NMFS). Also a Preconstruction
 > Notification was sent to the Army Corp of Engineers in accordance with
 > the Nationwide Permit No. 38, under Section 404 of the Clean Water Act
 > and Section 10 of the Rivers and Harbors Act. The respective agencies
 > concurred with the Biological Assessment and the proposed mitigation

> actions to conduct the activities during low flows to avoid impacts to
> the fish.

>
> Results from verification sampling showed concentrations of metals
> such as chromium and lead remained above the cleanup levels.
> Therefore, further sampling will be conducted at the shoreline below
> the OHWM during the low flow period of fall and winter of 2007.
> Approximately 40 samples will be hand excavated to approximately 15 cm
> (6 inches) in the exposed shoreline area. Three of these sample sites
> will have additional samples collected up to 3 feet deep (also hand
> excavated). The work is anticipated to occur in November and December
> 2007.

>
> The sampling will take place along the shoreline and in the gravel bar
> that extends east of the shoreline in areas that are typically under
> water during the spring and summer months. The shoreline areas that
> were not disturbed as part of the remediation of the 128-F-2 waste
> site are vegetated with reed canary grass (*Phalaris arundinacea*),
> willows (*Salix* sp.), and numerous common native and non-native forbs
> and sedges. The gravel bar below 113.5 meters (elevation) contains a
> small population of persistentsepal yellowcress (*Rorippa columbiae*),
> a federal species of concern and a Washington state endangered
> species. This population is near, but will not be impacted by the
> sampling because the sampling locations will be identified and
> inspected prior to sampling to ensure no persistentsepal yellowcress
> plants are present. Additional mitigation for this sampling will
> include conducting the work during the low flow period when the
> shoreline areas are dry and backfilling all sampling holes immediately
> after collecting the sample. Because of these mitigation strategies,
> no effects to Upper Columbia River (UCR) steelhead (*Oncorhynchus*
> *mykiss*), UCR Spring-run Chinook (*O. tshawytscha*), or the designated
> critical habitat of either species are anticipated.

> Please retain the distribution list on this email when you respond.

>
> Thanks Dale.

>
> Ken Gano
> Natural Resource Specialist
> Washington Closure Hanford
> 509-372-9295

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F. Dale Bambrick, Eastern Washington Branch Chief
304 South Water Street # 201
Ellensburg, Washington 98926
Phone (509) 962-8911, ext 221
Fax (509) 962-8544

"Right temporarily defeated is stronger than evil triumphant." Dr. ML King